

EXHIBIT A-21

Memo

sent to
Mr. Mays
2/28

To: James Colbert, Jr., Superintendent

From: Mindy Robertson, Principal

Date: February 28, 2018

RE: Recommendation to Terminate Employment of Herbert Allen, Jr.

This memorandum is to address my recommendation to terminate the employment of Herbert Allen, Jr., Teacher, at Academic & Behavior School East.

On Tuesday, February 27, 2018, I met with a parent in regards to her allegation of Mr. Allen breaking her child's collar bone in a restraint the day before. I immediately began an investigation that included interviewing witnesses and viewing camera footage. In viewing the footage, I did find that Mr. Allen was negligent in handling the situation.

Mr. Allen was face-to-face with the student, grabbed the student, threw him to the gym floor, got on top of the student, then stood up and flung the student on the floor two more times. Mr. Allen is trained in Nonviolent Crisis Intervention (CPI), to include a refresher he had a week ago during staff development training on February 19, 2018. CPI strategies are to first verbally de-escalate a student, use proxemics, and as a last resort, place a student in an Interim hold while awaiting additional help. Per our Schools Division Standard Operating Procedures, while it is our practice to train all staff, if a student is in danger of hurting himself or others or serious property destruction will occur, the Crisis Response Team should be alerted. Every campus must have a Crisis Response Team whose responsibility is to respond to crises and conduct appropriate restraints when warranted. A minimum of two people must assist in a restraint to prevent injuries (SOP p. 45). The student was not a danger to himself or others, nor did he destroy property. Mr. Allen failed to alert the response team and failed to have another person assist with the restraint. Mr. Allen had three assistants and a deputy to assist him as needed if the student's behavior warranted a restraint. The student was in a defenseless position against the wall and was grabbed, then thrown to the floor.

As a result of Mr. Allen failing to follow restraint procedures, the student sustained serious bodily injury. In maintaining the Department's policies and ethical standards, I find that Mr. Allen violated DH (Local) Ethical Conduct towards Students: 3.2: The educator shall not knowingly treat a student in a manner that adversely affects the student's learning, physical health, mental health or safety. In conclusion of my investigation and findings, I am recommending immediate termination of Mr. Allen's employment as a Teacher at Academic & Behavior School East and Harris County Department of Education.

Thank you,

Mindy Robertson